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JUN 20 2006

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FACSIMILE TRANSMISSION COVER SHEET

Date: Tuesday, June 20, 2006

To USPTO - Examiner: Christopher Grey

Art Unit: 2667

Fax: 571/273-8300

From: Keith Lutsch

Customer No: 29855

Atty. Docket #: 112-0030US

Serial No.: 09/872,412

Re: *Please see the attached as listed below*

Pages (including cover page): 18

Received in the United States Patent and Trademark Office

1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (2 pages);
2. Fee Transmittal (1 page); and
3. Request for Reconsideration (14 pages).

If there is a problem with transmission, please call (832) 446-2400

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PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Keith Lutsch
Signature

JUNE 20, 2006
Date

KEITH LUTSCH
Typed or printed name

31,851
Registration Number, if applicable

20333 STATE HIGHWAY 249, SUITE 600
Address

832/446-2400
Telephone Number

HOUSTON, TX 77070
Address

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

June 20, 2006
Date

Keith Lutsch
Signature

Keith Lutsch
Typed or printed name of person signing certificate

Approved for use through 07/31/2006. OMB 0651-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. FEE TRANSMITTAL for FY 2006		Complete If Known	
		Application Number	09/872,412
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	June 1, 2006
		First Named Inventor	David C. Banks
		Examiner Name	Christopher Grey
		Art Unit	2667
		Attorney Docket No.	112-0030US
TOTAL AMOUNT OF PAYMENT (\$)		\$1,500.00	

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METHOD OF PAYMENT (check all that apply)

Check
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Deposit
 Deposit Account Number: 501922
 Deposit Account Name: Wong Cabello

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below
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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra** **Fee (\$)** **Fee Paid (\$)**
 - 20 or HP = _____ x 550.00 = 50.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra** **Fee (\$)** **Fee Paid (\$)**
 - 3 or HP = _____ x 5200.00 = 50.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	<u>0</u>	<u>0</u> / 50	<u>0</u> (round up to a whole) x <u>\$250.00</u>	<u>50.00</u>

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount) Petition for Revival of an Application for Patent
 Other (e.g., late filing surcharge): Abandoned Unintentionally Under 37 CFR 1.137(b) \$1,500.00

SUBMITTED BY

Signature	<i>Keith Lutsch</i>	Registration No. (Attorney/Agent)	31,851	Telephone	832/446-2400
Name (Print/Type)	Keith Lutsch		Date	June 20, 2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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